



Information disclosure statement for Appl. No. 10/643,147

17w8

**Practitioner's Docket No. 2229/134**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Jensen et al.

Atty. Docket: 2229/134

Serial No.: 10/643,147

Art Unit: 3748

Date Filed: 08-18-2003

Examiner: H. Nguyen

Invention: Metering Fuel Pump

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
AFTER MAILING DATE OF FIRST ACTION BUT BEFORE FINAL ACTION OR  
NOTICE OF ALLOWANCE (37 C.F.R. § 1.97(c))**

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**CERTIFICATE of MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

**FACSIMILE**

☒ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

☐ transmitted by facsimile to the Patent and Trademark Office.

Date: May 15, 2006

  
\_\_\_\_\_  
Signature

John L. Conway  
(type or print name of person certifying)

05/19/2006 JBALINAN 00000021 10643147

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180.00 OP

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

1. The information disclosure statement submitted herewith is being filed after the mailing of the first Office action on the merits or 3 months after the filing date of the application, whichever occurs later, but before the mailing date of any final action under §1.113, a notice of allowance under §1.311 or an action that otherwise closes prosecution in the application.. 37 C.F.R. § 1.97(c).

2. In accordance with the requirements of 37 C.F.R. §1.97(c):

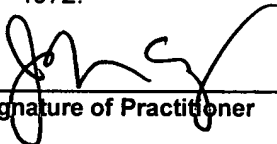
A. Applicant submits the fee set forth in §1.17(p) (\$180.00).

3. Method of Payment of Fee Due.

Attached is a check for \$180.00

Please charge any deficiency to deposit account 19- 4972.

Reg. No.: 48,241

  
\_\_\_\_\_  
Signature of Practitioner

Tel. No.: 617/443-9292

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Customer No.: 002101

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125 Summer Street, Boston, MA 02110



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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

**CERTIFICATE UNDER 37 C.F.R. § 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)*

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☒ **37 C.F.R. § 1.8(a)**

**37 C.F.R. § 1.10\***

☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"  
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**TRANSMISSION**

☐ transmitted by facsimile to the Patent and Trademark Office.

Date: : May 15, 2006

Signature

John L. Conway

(type or print name of person certifying)

**NOTE:** "An information disclosure statement shall be considered by the Office if filed by the applicant within any one of the following time periods:

- (1) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
- (3) Before the mailing date of a first Office action on the merits; or
- (4) Before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114."

37 C.F.R. § 1.97(b).

**NOTE:** "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

**NOTE:** The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O. G. 13 -25 at 17.

### **List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard unused sections and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☒ Concise Explanation of Non-English Language Listed Information Items
  - 7A. ☒ EPO Search Report
8. ☒ Translation(s) of Non-English Language Documents
9. ☐ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections \_\_\_\_\_, respectively, have been continued on ADDED PAGE(S).

**NOTE:** "Once the minimum requirements are met the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

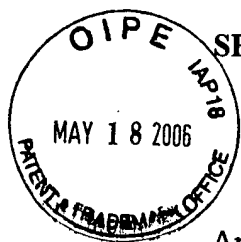
## **Section 1. Preliminary Statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

(Information Disclosure Statement—Section 1. Preliminary Statements [6-1]--)



**SECTION 2. FORMS PTO/SB/08A and 08B (formerly Form PTO-1449)**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Jensen et al.

**Atty. Docket:** 2229/134

**Serial No.:** 10/643,147

**Art Unit:** 3748

**Date Filed:** 08-18-2003

**Examiner:** H. Nguyen

**Invention:** Metering Fuel Pump

**LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS'  
INFORMATION DISCLOSURE STATEMENT**

**United States Patents**

<b>Examiner Initials</b>	<b>Document Number</b>	<b>Issue Date</b>	<b>Inventor</b>
	4,638,633	Jan. 27, 1987	Otters
	2001/0042373 A1	Nov. 22, 2001	Bliesner et al.
	US 4,662,176	May 5, 1987	Fujiwara et al.
	US 6,161,381	Dec. 19, 2000	Lohrmann

**Foreign Patent Documents**

<b>Examiner Initials</b>	<b>Reference Number</b>	<b>Document Number</b>	<b>Issue Date</b>	<b>Country</b>
	AG-9	JP 11257154	21-Sept.-1999	Japan
	AG-10	DE 35 00 124 A1	10-Jul. 1986	Germany

**Examiner Signature:** \_\_\_\_\_

**Date Considered:** \_\_\_\_\_

NOTE FOR EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance AND not considered. Include copy of this form with next communication to applicant.

## **Section 6. Copies of Listed Information Items Accompanying This Statement**

*NOTE: 37 C.F.R. § 198(a)(2) requires that any information disclosure statement filed under § 1.97 shall include:*

*"A legible copy of.:*

*(i) Each U.S. patent application publication and U.S. and foreign patent;*

*(ii) Each publication or that portion which caused it to be listed,*

*(iii) For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion. . .*

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

*(complete the following, if applicable)*

Exception(s) to above:

US patent application publications and U.S. patents.

**Section 7. Concise Explanation of Non-English Language Listed  
Information Items**



**Section 7A. Concise Explanation of Non-English Language Listed  
Information Items-EPO Search Report**

The relevance with respect to the following citations listed on Forms PTO/SB/08A and 08B (formerly Form PTO-1449):

JP 11257154

are submitted on the basis of the accompanying:

*(check the appropriate item)*

- ☒ EPO search report that is in the English language,
- ☐ EPO search report that is not in the English language and that is accompanied also by an English language version of the EPO search report,

that issued on the corresponding European patent application.

International Search Report for International Application International Application No.:  
PCT/US2004/001421 is included for reference. It covers JP 11257154



## **Section 8. Translation of Non-English Language Documents**

Submitted herewith is an English language translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information that may be material:

DE 35 00 124 A1 (Krauch)